



## **PARTIES**

4. Plaintiff Warner Bros. Entertainment Inc. ("Plaintiff") is one of the world's leading creators and distributors of motion pictures. Plaintiff brings this action to stop Defendant from copying and distributing to others over the Internet unauthorized copies of Plaintiff's copyrighted motion pictures. Defendant's infringements allow Defendant and others to unlawfully obtain and distribute for free unauthorized copyrighted works that Plaintiff spends millions of dollars to create and/or distribute. Each time Defendant unlawfully distributes a free copy of one of Plaintiff's copyrighted motion pictures to others over the Internet, each person who copies that motion picture can then distribute that unlawful copy to others without any significant degradation in sound and picture quality. Thus, Defendant's distribution of even one unlawful copy of a motion picture can result in the nearly instantaneous worldwide distribution of that single copy to a limitless number of people. Plaintiff now seeks redress for this rampant infringement of its exclusive rights.

5. Plaintiff Warner Bros. Entertainment Inc. is a Delaware corporation, with its principal place of business at 4000 Warner Boulevard, Burbank, California. Warner Bros. Entertainment Inc. ("Warner") is engaged in the production, acquisition and distribution of motion pictures for theatrical exhibition, home entertainment and other forms of distribution. Warner is the owner of the copyrights and/or the pertinent exclusive rights under copyright in the United States in motion pictures, including those identified in Exhibit A, which have been unlawfully distributed over the Internet by the Defendant.

6. Upon information and belief, Defendant, an individual, resides in this District.

## COUNT I

### INFRINGEMENT OF COPYRIGHTS

7. Plaintiff is responsible for the creation, development, production and distribution of numerous commercially released motion pictures.

8. At all relevant times Plaintiff has been the holder of the pertinent exclusive rights infringed by Defendant, as alleged hereunder, for certain copyrighted motion pictures, including, but not limited to, *North Country* (the "Copyrighted Motion Picture"). The Copyrighted Motion Picture is the subject of a valid Certificate of Copyright Registration issued by the Register of Copyrights. A true and correct copy of this Certificate of Copyright Registration is attached hereto as Exhibit A.

9. The Copyrighted Motion Picture contains a copyright notice advising the viewer that it is protected by the copyright laws.

10. Plaintiff is informed and believes that Defendant, without the permission or consent of Plaintiff, has used, and continues to use, Bit Torrent (-B), an online media distribution system to distribute to the public, including by making available for distribution to others, on or about December 19, 2005 the Copyrighted Motion Picture. In doing so, Defendant has violated Plaintiff's exclusive rights of reproduction and distribution. Defendant's actions constitute infringement of Plaintiff's exclusive rights protected under the Copyright Act of 1976 (17 U.S.C. § 101 *et seq.*).

11. The foregoing acts of infringement have been willful, intentional, and in disregard of and with indifference to Plaintiff's rights.

12. As a result of Defendant's infringement of Plaintiff's exclusive rights under copyright, Plaintiff is entitled to relief pursuant to 17 U.S.C. § 504, and to its attorneys' fees and costs pursuant to 17 U.S.C. § 505.

13. Defendant's conduct is causing, and unless enjoined and restrained by this Court will continue to cause, Plaintiff great and irreparable injury that cannot fully be compensated or measured in money. Plaintiff has no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and 503, Plaintiff is entitled to injunctive relief prohibiting Defendant from further infringing Plaintiff's exclusive rights under the Copyright Act of 1976 and ordering that Defendant destroy all copies of the Copyrighted Motion Picture made in violation of those rights.

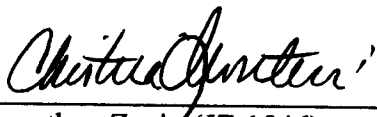
WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

1. For entry of preliminary and permanent injunctions providing Defendant shall be enjoined from directly or indirectly infringing Plaintiff's rights in the Copyrighted Motion Picture and any motion picture, whether now in existence or later created, that is owned or controlled by Plaintiff ("Plaintiff's Motion Pictures"), including without limitation by using the Internet to reproduce or copy any of Plaintiff's Motion Pictures, to distribute any of Plaintiff's Motion Pictures, or to make any of Plaintiff's Motion Pictures available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiff. Defendant also shall destroy all copies of Plaintiff's Motion Pictures that Defendant has downloaded onto any computer hard drive or server without Plaintiff's authorization and shall destroy all copies of those downloaded motion pictures transferred onto any physical medium or device in Defendant's possession, custody, or control.

2. For actual damages or statutory damages pursuant to 17 U.S.C. § 504, at the election of Plaintiff.
3. For Plaintiff's costs.
4. For Plaintiff's reasonable attorneys' fees.
5. For such other and further relief as the Court deems proper.

Dated: New York, New York  
January 2, 2008

Attorneys for Plaintiff

By:   
Jonathan Zavira (JZ-1846)  
Christina S. Monteiro (CM-8395)  
LOEB & LOEB LLP  
345 Park Avenue  
New York, NY 10154-0037  
Telephone: (212) 407-4000  
Facsimile: (212) 407-4990

# **EXHIBIT A**

# Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America

## FORM PA

For a Work of the Performing Arts  
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

PA 1-238-210

EFFECTIVE DATE OF REGISTRATION

2-1-06

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK  
NORTH COUNTRY

PREVIOUS OR ALTERNATIVE TITLES

CLASS ACTION aka UNTITLED NIKI CARO PROJECT aka UNTITLED MINING PROJECT

NATURE OF THIS WORK See Instructions

MOTION PICTURE

2

a NAME OF AUTHOR  
Schematic Productions GmbH & Co. KG

DATE OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work  
a "work made for hire"?

☒ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country

OR { Citizen of  
Domiciled in Germany

WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORK

Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No

If the answer to either  
of these questions is  
"Yes," see detailed  
instructions

NATURE OF AUTHORSHIP

Briefly describe the nature of the material created by this author in which copyright is claimed

ENTIRE WORK

NAME OF AUTHOR

DATE OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work  
a "work made for hire"?

☐ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country

OR { Citizen of  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORK

Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No

If the answer to either  
of these questions is  
"Yes," see detailed  
instructions

NATURE OF AUTHORSHIP

Briefly describe the nature of the material created by this author in which copyright is claimed

NAME OF AUTHOR

DATE OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work  
a "work made for hire"?

☐ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country

OR { Citizen of  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO  
THE WORK

Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No

If the answer to either  
of these questions is  
"Yes," see detailed  
instructions

NATURE OF AUTHORSHIP

Briefly describe the nature of the material created by this author in which copyright is claimed

3

a YEAR IN WHICH CREATION OF THIS  
WORK WAS COMPLETED

2005

4 Year

This information  
must be given  
in all cases

b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information  
ONLY if this work  
has been published

Month Day Year  
October 21 2005

USA & Canada

4 Nation

4

c COPYRIGHT CLAIMANT(s) Name and address must be given even if the claimant is the  
same as the author given above

Schematic Productions GmbH & Co. KG  
Bayerstraße 7, D-42031  
Gruenewald/Gelsenkirchen, Germany

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named  
in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright

APPLICATION RECEIVED

FEB 01 2006

ONE DEPOSIT RECEIVED

FEB 01 2006

TWO DEPOSITS RECEIVED

REMITTANCE NUMBER AND DATE

See Instructions  
before completing  
this page.

EXAMINED BY CCP FORM PA  
 CHECKED BY [Signature]  
☐ CORRESPONDENCE  
 Yes  
 FOR COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?  
☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box)

a. ☐ This is the first published edition of a work previously registered in unpublished form.

b. ☐ This is the first application submitted by this author as copyright claimant.

c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number         

Year of Registration         

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates         

Inspired by the book entitled "CLASS ACTION: THE STORY OF LOIS JENSON AND THE LANDMARK CASE THAT CHANGED MISUAL MANAGEMENT LAW" by Clara Bingham and Laura Leedy Ganster. (Continued...)

b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed         

Motion picture, including audio, visual and other cinematographic material.

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of  
 Name          Account Number         

Warner Bros. Entertainment Inc.

DAO13544

**CORRESPONDENCE** Give name and address to which correspondence about this application should be  
 Name          Address           
 Same as space 8.

Fax Number: (818) 984-3855

Area Code & Telephone Number          (818) 984-3855

**CERTIFICATION** I, the undersigned, hereby certify that I am the

Check only one ☒

☐ author

☐ other copyright claimant

☒ owner of exclusive right(s)

☐ authorized agent of Warner Bros. Entertainment Inc.

Name of author or other copyright claimant, or owner of exclusive right(s)         

of the work identified in this application and that the statements made by me in this application are correct to the best of my

Typed or printed name and date          If this application gives a date of publication in space 3, do not sign and submit it before that

CINDY O'NEIL

date          01/31/2008

Handwritten signature (X)         

Cindy O'Neil

MAL  
CERTIFI-  
CATE TO

Certificate will be mailed in window envelope

Name          Cindy O'Neil  
 Warner Bros. Entertainment Inc.  
 Handwritten/printed number           
 4000 Warner Blvd., Bldg. 168 South, Suite 8330  
 City/State           
 Burbank, California 91522-1866

1. Complete all necessary spaces  
 2. First year registration is space 1

1. Application form  
 2. Handwritten/printed title  
 in block or ALL CAPS of Copyright  
 3. Deposit material

Register of Copyrights  
 Library of Congress  
 Washington, D.C. 20540

The Copyright Office has the authority to adjust fees in 5-year increments, based on changes in the Consumer Price Index. The next adjustment is due in 2008. Please contact the Copyright Office after July 1, 2008 to determine the actual fee schedule.



# CONTINUATION SHEET FOR APPLICATION FORMS

FORM PA /CON

UNITED STATES COPYRIGHT OFFICE

- This Continuation Sheet is used in conjunction with Basic Forms PA, SE, SR, TX, and VA only. Indicate which form from you are registering in the space in the upper right-hand corner.
- If at all possible, try to fit the information called for into the spaces provided on the basic form.
- If you do not have space enough for all the information you need to give on the basic form, use this continuation sheet and submit it with the basic form.
- If you submit this continuation sheet, clip (do not tape or staple) it to the basic form and fold the two together before submitting them.
- Part A of this sheet is intended to identify the basic application. Part B is a continuation of Space 2. Part C (on reverse side of this sheet) is for the continuation of Spaces 1, 4, or 6. The other spaces on the basic form call for specific items of information and should not need continuation.

RE PA 1-288-210

PA PAU SE SEU SR SRU TX TXU VA VAU

EFFECTIVE DATE OF REGISTRATION

2-1-06  
(Month) (Day) (Year)

CONTINUATION SHEET RECEIVED

FEB 01 2006

Page 3 of 4 pages

DO NOT WRITE ABOVE THIS LINE. FOR COPYRIGHT OFFICE USE ONLY

IDENTIFICATION OF CONTINUATION SHEET: This sheet is a continuation of the application for copyright registration on the basic form submitted for the following work:

TITLE: (Give the title as given under the heading "Title of this Work" in Space 1 of the basic form.)  
NORTH COUNTRY

A

Identification  
of  
Application

NAME(S) AND ADDRESS(ES) OF COPYRIGHT CLAIMANT(S): (Give the name and address of at least one copyright claimant as given in Space 4 of the basic form.)

Seharmatic Productions GmbH & Co. KG  
Beverialtplatz 7, D-82031  
Grünwald/Geiselgasteig, Germany

NAME OF AUTHOR

DATES OF BIRTH AND DEATH  
Year Born Year Died

B

Continuation  
of Space 2

Was this contribution to the work a "work made for hire"?  
☐ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR { Citizen of  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by the author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work a "work made for hire"?  
☐ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR { Citizen of  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by the author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH  
Year Born Year Died

Was this contribution to the work a "work made for hire"?  
☐ Yes  
☐ No

AUTHOR'S NATIONALITY OR DOMICILE  
Name of Country  
OR { Citizen of  
Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK  
Anonymous? ☐ Yes ☐ No  
Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by the author in which copyright is claimed.

CONTINUATION OF (Check table): ☐ Space 1 ☐ Space 4 ☐ Space 6

**C**

Continuation  
of other  
spaces

**Space 6 (Preceding Material) Continued:**

Gameplay entitled "UNTITLED MIO CARO PROJECT" by Michael Seltman. Certain film clips and sound recordings. Barbie Doll used by permission of Mattel, Inc.